

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAMON CEBALLO GASPAR,

Defendant.

8:18–CR–127

ORDER

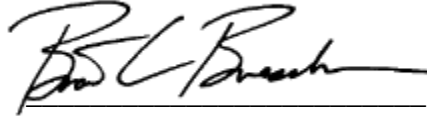
On July 24, 2024, this Court held a hearing on Defendant Ramon Ceballo Gaspar's Consent Motion for a Reduced Sentence Pursuant to [18 U.S.C. § 3582\(c\)\(2\)](#). Filing 212 (Text Minute Entry). During the hearing, Counsel for the Defendant noted that the Defendant was incarcerated in Mexico pursuant to the Prisoner Transfer Treaty between the United States and Mexico. *See* Treaty on the Execution of Penal Sentences, Mexico-U.S. (Nov. 25, 1976); *see also United States v. Garfias*, No. CR 5:19-080-DCR, 2024 WL 457763, at *2 (E.D. Ky. Feb. 6, 2024) (concluding that the district court had exclusive jurisdiction over the defendant's motion for a sentence reduction in accordance with this Treaty). Counsel for the Defendant also suggested that due to the Defendant's incarceration in Mexico, he was not entitled to credit for good behavior as he otherwise would be if he were incarcerated in the United States. *See* [18 U.S.C. § 3624\(a\)–\(b\)](#). The Court believes that the United States Department of Justice or the United States Federal Public Defender's may have resources that might have information on this specific legal question. The Court concludes that it is appropriate for both parties to brief this issue further and cite any authority that supports this proposition. Accordingly,

IT IS ORDERED: Within seven (7) days of the date of this Order, the parties shall file a brief with citations to authority indicating whether or to what extent an individual such as the Defendant is entitled to good-time or related credit when serving a sentence imposed by a United

States Federal District Court in a Mexican penal institution pursuant to the Prisoner Transfer Treaty between the United States and Mexico. The parties may file a joint brief if they wish or may file separate briefs.

Dated this 29th day of July, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge